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LETTER DATED 20 OCTOBER 1994 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Especially in view of our letter to the Security Council contained in document S/1994/1175 of 17 October 1994, addressing the problem of the dilution of the Security Council mandate to the United Nations Protection Force (UNPROFOR), we would like to re-emphasize our growing concern and impatience as evidenced by recent actions, or more accurately non-actions by the UNPROFOR command.

On Tuesday, 18 October 1994, "Bosnian Serb" forces opened fire on a United Nations humanitarian convoy on the outskirts of the "safe area" of Gorazde. A Bosnian driver employed under the United Nations mandate was killed and another seriously wounded. According to our information, the UNPROFOR Commander on the scene immediately called in for NATO air action, only to be rebuffed by the UNPROFOR Commander for the Republic of Bosnia and Herzegovina, Lieutenant General Sir Michael Rose, who "enjoys cordial relations with General Mladic". As repeated by The New York Times (18 October 1994), a local United Nations spokesman indicated "the request was turned down by General Rose after a conversation between him and the Bosnian Serb commander, General Ratko Mladic".

The "Bosnian Serb" attack is by no means unique in scope of frequency, but part of a systematic campaign of intimidation and the strangulation of Bosnian cities, in particular the besieged eastern enclaves like Gorazde. We must also compare the response of the UNPROFOR commander in this instance to a similar attack upon French peace-keepers on 22 September 1994, which prompted a NATO retaliatory airstrike. We would like to believe that the life of a Bosnian employed under the United Nations mandate is not deemed of lesser value than of non-Bosnians working under the identical mandate and for the same objectives. Unfortunately, we have good reason to believe otherwise. While attacks on non-Bosnians have prompted a more resolute response, this attack triggered a telephone call to the commander of the murderers of this United Nations-mandated employee and citizen of the Republic of Bosnia and Herzegovina.

According to the same New York Times article, General Rose recently wrote a letter to General Mladic saying: "I fully agree with you that we must in the future avoid all situations that necessitate the use of force, whether applied

from the ground or the air. We can only do this through close liaison and cooperation ... It is not part of our mission to impose any solution through force of arms. We are neither mandated nor deployed for this."

We must inquire under which mandate General Rose believes he is acting within, and why he has chosen to delegitimize mandates specifically provided under Security Council resolutions 770 (1992), 824 (1993), 836 (1993), 913 (1994) and others. As we have become aware of other actions by General Rose, including discussing alternatives to the Contact Group peace plan and territorial settlements with "Bosnian Serb" leaders, we must wonder why the Contact Group members have not responded to this undermining of civilian authority by a military commander acting without mandate and presumably with no other directive. As for the issue of the cordial relations between General Mladic and General Rose, we will allow those who have accused General Mladic of war crimes and provided evidence of his crimes to assess the propriety of this relationship under any circumstances.

It is our view that, in most armies subject to civilian authority, General Rose's actions would at least garner a review of a potential court martial. We do not believe this assessment to be exaggerated, and instead we should question why there is no such review when the United Nations, rather than national authority, is involved. Regardless of General Rose's other qualifications, good intentions or past courageous service on behalf of his nation, his actions now do not do justice to the brave and committed individuals acting under United Nations mandate to help provide our appreciative people and Republic with the desperately needed relief and assistance. Alas, we must suspect that General Rose should not bear the brunt of the responsibility for the erosion and delegitimization of Security Council resolutions. Unfortunately, there may be other factors and authorities responsible, especially outside of UNPROFOR. General Rose may only be the awkward expression of these factors and authorities.

The murdered driver's name was Dzemail Hendo, 37 years of age.

May I ask for you kind assistance in circulating this letter as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative

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